

**REQUIRED STATEMENT TO ACCOMPANY
ALL MOTIONS TO MODIFY STAY**

All Cases: Debtor(s) Francis O. Beniana and Rita Beniana Case No. 18-04655 Chapter 7

All Cases: Name of Moving Creditor Toyota Motor Credit Corporation Date Case Filed 2/21/18

Nature of Relief Sought: ☒ Lift Stay ☐ Annul Stay ☐ Other (describe) _____

Chapter 13: Date of Confirmation Hearing _____ or Date Plan Confirmed _____

Chapter 7: ☐ No-Asset Report Filed on _____
☒ No-Asset Report not Filed, Date of Creditors Meeting 3/22/2018

1. Collateral
 - a. Home _____
 - b. ☒ Car Year, Make and Model 2015 Toyota RAV4
 - c. Other _____
2. Balance Owed as of Petition Date \$14,774.72 as of 3/14/2018
Total of all other Liens against Collateral \$ _____
3. In Chapter 13 cases, if a post-petition default is asserted in the motion, attach a payment history listing the amounts and dates of all payments received from the debtor(s) post-petition.
4. Estimated Value of Collateral \$ 14,575.00
5. Default
 - a. ☒ Pre-Petition Default
Number of months 5 Amount \$2,059.99
 - b. ☐ Post-Petition Default
 - i. ☐ On direct payments to the moving creditor
Number of months _____ Amount \$ _____
 - ii. ☐ On payments to the Standing Chapter 13 Trustee
Number of months _____ Amount \$ _____
6. Other Allegations
 - a. ☐ Lack of Adequate Protection § 362 (d)(1)
 - i. ☐ No insurance
 - ii. ☐ Taxes unpaid Amount \$ _____
 - iii. ☐ Rapidly depreciating asset _____
 - iv. ☐ Other _____
 - b. ☒ No Equity and not Necessary for an Effective Reorganization § 362 (d)(2)
 - c. ☐ Other "Cause" § 362 (d)(1)
 - i. ☐ Bad Faith (describe) _____
 - ii. ☐ Multiple filings _____
 - iii. ☐ Other (describe) _____
 - d. Debtor's Statement of Intention regarding the Collateral
 - i. ☒ Reaffirm
 - ii. ☐ Redeem
 - iii. ☐ Surrender
 - iv. ☐ No Statement of Intention Filed

Date: 3/15/2018

/s/ Terri M. Long
Counsel for Movant